

IV. REMARKS

The Examiner is thanked for the allowance of claims 1-18 and 27 in the last office action.

Claim 26 has been amended to add the proper claim numeral. Thus it is no longer objectionable.

Claims 19-26 are not unpatentable under 35 U.S.C. 102(a) over Admitted Prior Art (APA) specification, page 1, line 5, -page 7, line 2.

Claim 19 now recites a mobile station which dynamically selects the number of uplink radio bursts (see page 8, lines 16 and 17; page 11, line 38; page 13, line 23). Also, the invention of claim 19 adjusts the properties of a packet data connection, which together with other packet data connections occupies a certain packet channel. Still further, it now recites that the number of radio bursts is selected from a certain set of values, which set contains at least two values. This was discussed with the Examiner in a telephone interview on March 14, 2006 as helping to define patentability.

In contradistinction, APA has static adjustments. Further, it refers to a "packet data channel" and not a connection. Thus claim 19 is not anticipated by APA. The remaining independent claims 23 and 25 have similar limitations for dynamically selecting the number of downlink radio bursts. Hence the rejection of claims 19-26 under 35 U.S.C. 102 should be withdrawn.

The present invention is a finer adjustment method than the coarse prior art solution and enables more flexible and basically instant adjustments. This leads to more efficiently

used transfer resources and shortened transmission delays since changes in transmission quality can be individually taken into account for each packet data connection. Support for these features are found on page 8, lines 17-19.

Also, the Examiner has referred to APA for the transmission of RLC/MAC blocks using 4 bursts as defined in the EGPRS standard, and how APA thus inherently has means for selecting the number of bursts. However, APA is clearly of a static nature, i.e., the prior art standards and various systems following those have not allowed dynamic, packet data connection-based, adjustments on a packet data channel. Dynamic selection of radio bursts as claimed can be also used, e.g., to cope with abruptly changing Qos requirements (fully possible with modern mobile terminals and related connections/services) on a level previously not available.

Since APA does not suggest the above features with the above discussed advantages, claims 19-26 are unobvious over APA.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.



Respectfully submitted,

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1 June 2006
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